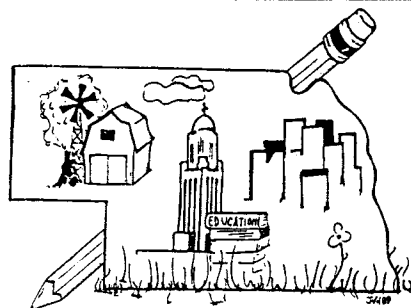


# The Nebraska Observer

Vol. 6, No. 10, September 26, 1991



## Kerrey, Harkin in Opposite Camps on Key Votes

by Frances Mendenhall

With Iowa's Senator Tom Harkin off to a serious start in his race for the presidency, and Nebraska's Senator Bob Kerrey likely to formally make the same bid in the near future, some progressive-minded voters in both states will have a tough time choosing between the candidates.

One longtime Harkin supporter who now lives in Omaha is Bill Somerville, former Chair of Douglas County Democratic Party. Somerville resigned from his position September 17 because of conflicts with the Nebraska Democrats over his desire to endorse Harkin in his presidential bid, although Somerville stresses that he did not mean it as a personal affront to Kerrey.

Somerville has been associated with Harkin's campaigns since Harkin first ran for Congress and with every campaign thereafter. Somerville has known Harkin since 1974.

Somerville values the extent of Harkin's experience (ten years in the House, seven in the Senate) and his ability to carry out an agenda to improve the nation's education, health care, child care, and employment.

More recently, the "Harkin Amendment" was an issue for Somerville. The Iowa senator proposed transferring \$3.1 billion from the military budget to ten domestic programs. The amendment was defeated and Kerrey voted against it. "I have always believed that down deep Kerrey supported human services. But he didn't believe in it enough to support this amendment transferring these unobligated defense funds. His explanation seemed to put the budget agreement before the human needs commitment," said Somerville.

Somerville plans to work for Harkin and

support his campaign financially as well as to recruit other help.

### Farmers Disappointed by Kerrey's Support of Fast Track

Although National Farmers Union gave both Kerrey's and Harkin's voting records 100 percent in 1990, some people in the Farmers Union are disappointed with a recent key Kerrey vote on trade policy, his vote for Fast Track. Fast Track permitted two special trade treaties to pass through Congress with one vote, no amendments or modifications.

Grain trading interests, including ConAgra, supported Fast Track. Other groups that supported the idea were big business, banking interests, and the Farm Bureau. Opposing Fast Track were environmental, labor, and progressive farm groups. These groups were concerned about food safety standards, which are lower in Mexico; about the less restricted use of pesticides; and about forcing American farmers into competition with the lower paid Mexican farmers.

Democratic-hopeful Tom Harkin voted against Fast Track. "From our organization's standpoint it was probably the most important vote of the year," said Jeff Kirkpatrick of the Nebraska Farmers Union. "We thought the best chance of changing the Bush administration's trade policy would have been to repeal Fast Track."

"Kerrey's vote for Fast Track was a swing vote, one we needed to win. He was undecided to the end, one of nine surprise votes that we were hoping would be on our side but weren't. He was also one of the very few Midwestern Democrats who supported Fast Track. The margin of support (Senate: 59 to 36) was important too, because it appeared to give a stamp of approval to Bush's intended trade policies," Kirkpatrick said.

### Labor Hopes for Ban on Scabs

The vote for Fast Track mattered to labor as well, which foresaw jobs being exported. Major meatpackers have said if there's a North American Free Trade agreement, they will ship meatpacking plants south of the border.

To many in labor, however, the most important consideration will be S. 55, the legislation banning replacement of striking workers (also known as the "Scab Bill"). This bill was passed in the House July 17 and is still to be considered in the Senate. President Bush is expected to veto it.

Harkin has publicly supported S.55, but Kerrey seems to be avoiding taking a stand.

### Fractured Kerrey Tales

SENATOR KERREY VOTED AGAINST TOM HARKIN'S AMMENDMENT TO CUT \$31 BILLION FROM THE DEFENSE BUDGET

WHAT?

KERREY VOTED TO TABLE A REDUCTION OF U.S. TROOPS IN EUROPE

REALLY?

YEAH, AND HE VOTED IN FAVOR OF SPENDING MONEY FOR THE STEALTH BOMBER

NO!

AND HE INFURIATED FARMERS AND OTHERS BY VOTING TO FAST TRACK THE BUSH TRADE AGREEMENTS WITH MEXICO

PLOP!

SURE HOPE HE CAN GET YOU SOME SORT OF HEALTH CARE...

Machinist Frank Eman has been paying close attention to this issue, and told the Observer of a visit by several United Rubber Workers members from the Goodyear plant in Lincoln to Kerrey in his office in Washington DC in late August. The group, according to Eman, left the meeting believing that Kerrey was 75 percent against the "Scab Bill." Others who have tried to contact him on this subject have not received a response, including the Nebraska Observer.

Although machinists gave Kerrey a rating of 13 out of a possible 13 in 1990, the Scab Bill issue is serious, according to Eman, and could

turn support from Kerrey to Harkin.

### 'Progressive' Agenda

The Friends Committee on National Legislation is one of several progressive groups that monitors congressional voting records. Twelve votes on issues considered key to that group in 1990 related to the following subjects: hate crimes, civil rights, AIDS emergency relief, flag desecration, gun control, racial justice and the death penalty, Native Americans and the death penalty, drug dealers and the death penalty, campaign finance re-

Continued on page 4

### Inside:

- Bob Kerrey's  
Vote Against the  
Harkin Amendmend...2
- Chambers Chastises Governor...4
- Curfew.....5
- Preventing Teen Preg-  
nancy.....6
- When Boner Tried to Set  
Up Alisha Owen.....10
- The Dave Barry Column  
the World-Herald left  
out.....16

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# Kerrey, Others Opposed Harkin Amendment

By Colman McCarthy

Washington -- More than \$438 million a day was and is spent by the United States to defend Europe militarily. Americans have been told by professional diviners of Soviet intentions that at any moment communist armies could swarm into West Germany and begin their long-expected conquest of the world.

With the Soviet Union now deunionized, who and what is Europe to be defended against for that \$438 million? No one seems to know, or at least none of the 69 members of the Senate who voted on Sept. 10 to keep military spending at its current level of about \$300 billion. About \$160 billion -- \$438 million a day -- is to withstand attack from the Warsaw Pact which no longer exists and the armies of the Soviet Union which is also no more.

It occurred to Sen. Tom Harkin, the fresh-thinking Iowa Democrat now running for the presidency, that with 60 percent of the military budget used to defend Europe against enemies that don't exist why not transfer some of the money to battle enemies in the United States that do exist, disease, poverty and ignorance. It was the peace dividend revived.

Harkin introduced an amendment to shift

\$3.1 billion from military spending to 10 domestic programs, including Head Start, disease immunization, and research on AIDS, Alzheimer's and drug addiction. The senator argued that not only is America's obligation to NATO over but that compared with European governments we are subsidizing, the United States is a poverty case: "The German economy is growing at a rate of five times faster than ours."

Harkin had another justified complaint: "We have spent more on military research in the last 31 months than we have on all biomedical research since the turn of the century."

The transfer of \$3.1 billion is the tame of notions. The sum equals 0.58 percent of the current military budget. Yet from the alarmist resistance thrown up by Pentagon loyalists to the Harkin amendment, it were as if the Soviet army was massed on Europe's eastern border and Gen. Sergei Akhromeyev, the former armed forces chief of staff who killed himself after the failed coup had come back to life and was barking orders to charge.

"We still need to keep our guard up," warned Sen. Robert Dole, suspecting Red Dawn II at any moment. Sen. Sam Nunn called on the Senate to reduce military spending "on a sensible basis," which meant be sensible and don't reduce it by \$3.1 billion.

It was Dole, Nunn, Bob Kerrey and 66 other senators who defeated the Harkin amendment, with many of them having voted in the past two decades for military programs that turned out to be fraudulent, wasteful and unnecessary. Instead of atonement for this national self-destructiveness, an attempt was made to portray Harkin as a loose legislative cannon. His amendment, it was charged, violates a 1990 budget agreement that set caps on discretionary spending through 1993 and those can't be changed now merely because the world has changed.

Harkin was carried away, opponents argued. One of them said, "I urge we move cautiously, that we move with prudence." Another: "Allocate (funds) in a more orderly manner." A third: "I have to vote against (the Harkin amendment) in the interest of maintaining an orderly budget process." And then there was Sen. Pete Domenici, the New Mexican who argued that "procedurewise, processwise" the appropriations committees in Congress are in control of spending.

The vote came down to a choice between politics as if procedures mattered or politics as if people mattered. Procedures won, people lost. The Senate's guard remains up. Europe could still fall to the commies. If they can be found.

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## Why Kerrey Voted Against the Harkin Amendment

The following is excerpted from Sen. Kerrey's statement explaining his vote against the Harkin amendment to H.R. 2707.

The amendment would have overturned the budget agreement, not for real reform, but for tinkering purposes. It quibbled. The amounts involved were small in comparison to the \$1.4 trillion budget and did not represent a real realignment of priorities.

Budget priorities need major overhaul, but throwing out a few more dollars to a few popular programs which didn't get quite enough in the Subcommittee mark is not the way to accomplish that.

## Observer Deadlines

The next Observer  
will be printed October 30.  
Story ideas should be submitted  
by October 18.  
Copy should be in by October 24.  
Copy for the November 26 edition  
is due November 20

## What's to Blame For Our Educational Troubles? Television!

Not until television moved to the center of American life did our educational system go into free-fall.

To those few of you out there who doubt me, I say: Have you ever watched television? Why would it not make people dumber?

The best of television is merely stupid. The bulk of it is vulgar, tasteless, moronic, sleazy and mind-rotting. And that's only the news shows.

—Donald Kaul

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# Waste Management Defends Blue Bag Program

by Ed Cook

*The author is the general manager of Waste Management in Douglas County.*

I am writing in response to the article written by Jeremy Frahm in the August 31, 1991 issue of *the Nebraska Observer*. I would like to respond to a number of points raised in the article.

Mr. Frahm stated that 80 percent of the people polled at a recent meeting called by the no name group and CLEAN (Citizens Leading Environmental Action in Nebraska) voted to drop the city of Omaha's blue bag recycling program and switch exclusively to drop-off sites. Being generous, if there were 100 people at the meeting, this means that 80 of the 325,000 (far less than 1/100th percent) residents in Omaha would choose this direction. The fact is that on a monthly basis, fully 40-50 percent of Omaha's 325,000 residents are saying "yes" to participation in the city's recycling program.

Relative to the participation at drop-off locations, we too are pleased to see that another segment of Omaha's population is availing themselves of this recycling option. Mr. Frahm neglected to mention that it is Waste Management which provides all four of these drop boxes free of charge to the city. Additionally, we collect and transport the materials from those four drop boxes four times a week, free of charge. You see, we believe that a blue bag program and a drop box program are not mutually exclusive, rather they are compatible means of achieving the same end, i.e., providing Omaha residents with the opportunity to recycle. It is regrettable that the no name group and CLEAN have positioned these two viable programs in an "either/or" scenario when in reality they are unusually compatible.

Instead of praising Omaha residents for their collective efforts, these two organizations have chosen to find fault where there is none. It is stated that the true cost of recycling is \$90.69/ton. Where is the documentation to support this claim? The city has repeatedly stated that providing residents with blue bag recycling has cost the city *no more* than if the total waste stream went directly to the landfill. As a matter of fact, since March 25, the city has received \$10,000 in proceeds from the sale of recycled materials. Additionally, since Waste Management assumed operation of the facility, not one load of processed materials has been rejected by the various commodity markets. This is further testimony to the exemplary job residents are doing in sorting their materials.

I think it is critical to discuss the issue of materials diversion from the landfill. In March when the blue bag program came on line, we estimated that approximately one percent of the total tons received at the facility were recycled and thus diverted from the landfill. In August, this number rose to a 5.5 percent diversion. Can we achieve higher diversion

rates? Yes, by encouraging increased citizen participation in the blue bag program and in utilizing the drop boxes. The other alternative is to bid out a traditional curbside program. But, the economics will change significantly.

In looking at our neighbor, Bellevue, the monthly cost to the city for a combined garbage/curbside recycling collection program is \$9.48/home. Omaha, by comparison, pays its contractor \$6.37/home (or about 49 percent) monthly to offer residents a curbside recycling program. How much additional diversion could be expected to be achieved with a traditional curbside program? In reviewing one of the longest term and most successful curbside recycling programs in the Midwest (Oak Lawn, IL) after four years, collecting four materials (additionally, plastics are collected at drop-off locations) a consistent 8 percent is diverted. That is 2.5 percent more than Omaha is currently achieving with a blue bag program still in its infancy. Do Omaha residents want to pay approximately 49 percent more to achieve an additional 2.5 percent diversion by launching a full-scale curbside program at this time?

I would like to point out that contrary to what was reported, the newspaper tonnage collected saw its best month in August — 387

tons. People are recycling their newspapers.

Finally, I would like to address the issue of our company's overall record. There is no company in the county more dedicated to environmental protection than Waste Management. We have over 63,000 employees daily dedicated to safely managing the wastes society generates.

In a 20-year history, we have had an overall exemplary record. There have been isolated instances where employees have made severe errors in judgment. Other good companies such as Kodak, Walt Disney, General Motors, Motorola, to name a few, have paid environmental fines. Companies such as AT&T, U.S. West and IBM have had dozens of antitrust cases filed against them. I would submit to you that in each instance there was no pattern of abuse; rather, in each instance individuals, acting alone, made errors in business judgment.

Let me make it perfectly clear, Waste Management is strongly committed to conducting its business in a lawful manner. The company will not tolerate violations. Three of the handful of antitrust cases brought against us pre-date our ownership of the respective subsidiary. But, we do not walk away from

problems.

As the local manager responsible for both the Douglas County Landfill and the Omaha Recycling Facility, I can tell you that I take my responsibilities to Omaha residents, and to my company, seriously.

I am proud of these two facilities and of our ability to cost-effectively provide environmentally responsible recycling and disposal services. My goal is to continue to serve Omaha proudly.

Yours Very Truly,

Ed Cook

General Manager

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## WSJ Article Details Internal Charges Of Bid-Rigging at Waste Management

*Information from the following article is from a Wall Street Journal article by Jeff Bailey, September 10, 1991. The Observer will be happy to supply readers with the article itself. We were unable to reprint it on the terms that WSJ requires for lack of space.*

A federal investigation of the garbage industry in Kansas City includes two of the nation's largest garbage companies, Browning-Ferris Industries, Inc. and our own Waste Management, Inc. Also included in the investigation is Deffenbaugh Industries, Inc., Kansas City's biggest trash hauler, according to a recent article in the Wall Street Journal.

Investigations of this sort usually start with complaints from smaller competing businesses or customers, but this time around, it was prompted by charges from a Waste Management employee, salesperson Diane Cone. Cone, as the Journal article describes, had heard about a national class action price-fixing suit against Waste Management and Browning-Ferris, and feared that she herself might be breaking the law. Cone's charges brought about the investigation that led to the indictment of Deffenbaugh on charges of bid-rigging and extortion.

Cone filed a lawsuit in Missouri state court in which she states that her company, Waste Management, was fixing prices and that talk-

ing about the alleged practice was what got her fired. Waste Management settled her wrongful dismissal suit for an undisclosed amount. Also part of the settlement was that Ms. Cone would tell Waste Management lawyers what she told the government.

According to the Journal article, Waste Management was previously Ace Scavenger Service and price-fixing charges were a problem back then too. Ace and other haulers were part of a local industry group, Chicago & Suburban Refuse Disposal Corp. In a civil suit filed by the State of Illinois in 1971, officials identified company "rules" as a how-to guide for price fixing and charged that the customers were treated like captives.

According to the suit, the following rules were used: They would not solicit each other's customers; if a customer of one hauler sought a bid from another hauler's customer, something of equal value—money or a comparable account—would be paid to even the score; and bidding on all government contracts would be rigged ahead of time.

Without admission of wrongdoing, the group settled the suit for \$50,000. The "rules" still applied, and between 1973 and 1989 Waste Management paid fines of more than \$4 million. They were convicted of, or pleaded guilty or no contest to, criminal price-fixing charges in Wisconsin, Georgia, Ohio, Florida

and Southern California.

The penalties are small compared to the profits. Waste Management reported net income of \$372.6 million, with revenues of \$3.63 billion for the first half of the year.

In a recent class-action case alleging a national conspiracy lawyers argued that Waste Management continues violating state and federal laws, collecting immense profits and paying modest fines.

They settled the suit by paying \$19.5 million on what, according to a spokesperson from the other defendant, Browning-Ferris, could have been a \$1 billion decision based on damages under the antitrust law, had it gone before a jury.

The day Cone told Waste Management she didn't want to be involved in price fixing, the office files were locked and access restricted, according to a memo from her boss. The next month she left the company — she says she was fired, they say she was laid off. The day she left, according to testimony from another employee, a document shredder showed up, but the company says this was a coincidence.

The investigation sparked by Cone's charges resulted in the trial in a U.S. District Court in Kansas of Deffenbaugh Industries for extortion and bid-rigging. The trial began September 10, and was still in progress as this paper went to press.

## Parole Board Intervention Challenged

# Chambers: Nelson 'Hortonizing' Parole Decision

by Ernie Chambers

*Following is an open letter from State Sen. Ernie Chambers to Gov. Nelson concerning the governor's call for the resignations of Parole Board Members Marlene Cupp, Leland Oberg and Michael McLaughlin*

Dear Governor Nelson,

I strongly disagree with the manner in which you have handled this entire matter.

You, without having conducted any formal, judicious inquiry, immediately went public with a demand that the three Parole Board members resign their positions because they voted to parole a man who has been charged with murder in Omaha.

First of all, as a lawyer and elected official, you know that a charge is not a conviction. A person accused of a crime is innocent until proved guilty. I realize that the Omaha World-Herald and many others have made their finding of guilt in the case. That, however, does not excuse you from the responsibility to suspend judgment until the courts have acted.

Then, even if the man is convicted, no automatic basis for resignation is, thereby, established.

Regardless of my personal feeling about or reaction to the Parole Board Members' decision, they merely did what the law and the Constitution empower them to do: that is, they exercised their discretion. Criticism may be made of the result, but doing what the law and Constitution authorize cannot be converted into a basis for demanding resignation.

Let me offer a matter for your serious consideration before I proceed with additional reasons for my disagreement with your course of action.

If the three members did what, in their best judgment, was the thing to do, and if they are now to resign because of political pressure from you, the question arises as to whether they may have made parole decisions based on outside pressure. Resignation, under the circumstances, is unwise.

You seem to be "Hortonizing" this matter. I hope I am mistaken, because that tactic (as used masterfully, though contemptibly by President Bush during his campaign), is unworthy of you. It pandered to the "lynch mob" mentality.

It would have been far more prudent had you declared an intent to set up a committee or task force to make an objective inquiry — not only to review this specific decision which is the "trigger", but to look at the entire system. That way, even if you had already reached a determination to demand resignations, you would at least have had the \*\*appearance\*\* of behaving in a responsible fashion.

Your reliance on the case of former Board member Alvarez as some kind of "precedent" for terminating the three members after a mere, pro forma "hearing", is ill-advised. As you must know, Mr. Alvarez was terminated

by former Governor Orr because he had an affair with a former parolee (impregnating her) while her estranged husband was on parole. Even in your present clouded state of political vapors, you can detect the difference between the illicit conduct of Mr. Alvarez and the fact that the three Members have raised your political hackles because of a decision, with which you disagree.

But, what about the negative recommendation of the Department of Corrections? If they really thought the man was a terrible risk, why did they not take away any of his "good time" for institutional infractions preceding his Parole Board appearance? Why did no one from the Department appear to contest his release? Why did the Department exercise discretion and not do a mental evaluation? I haven't heard any demand from you that any department employees or the director resign. You are too selective in your "indignation".

Other Parole Board decisions have been made, with similar results; that is, the parolee returned to confinement due to commission of another crime. Never, during the time that I have been in the Legislature, has there been a call for resignations because of a particular decision.

As you know, judges frequently make decisions with which people disagree. They even make patently wrong decisions which are overturned upon appeal. Some judges have gone so far as to be blatantly vindictive in rendering judgment. However, never has a judge been removed from the bench in this or any other State, because of an unpopular or dead-wrong decision.

The main reason is not to shield the individual judges, but rather to protect the system of justice by insuring the independence of the judiciary. Such independence can be insured only by making judges immune from punishment because of a particular decision. In the process, some mischief may result, in individual cases. (Suppose former Chief Justice Krivosha and the Justices who voted with him in the Hunt case had been subjected to disciplinary action because of the public outrage expressed at their decision?)

Parole Board members are, in some senses, quasi-judicial, in their work. When carrying out those functions, they are accorded a degree of the same type of protection afforded the judiciary.

However, in the same way that a judge can be disciplined for inappropriate conduct away from the bench, if it impacts on the proper administration of justice, a Board member can be terminated for conduct which constitutes the bases listed in statute for termination: disability, neglect of duty, malfeasance in office. The mere rendering of a decision, when not based on bribery or some other illegal factor, cannot constitute malfeasance in office.

As a matter of fact, it was not long ago that your patently illegal act of appointing a man to head the State Patrol, in violation of the state's nepotism laws, did not lead to your resignation. No. You were able to persuade the Legislature to change the law, in order to convert an illegal act into a legal one. And the law-and-order Attorney General was complicit, agreeing not to push the issue, so that you could perform your Rumpelstiltskian magic of spinning a deed of legal gold from the straw of illegality.

If you conduct a sham "hearing", at which sufficient evidence is adduced to establish

one or more of the statutory bases for removal, and then proceed to attempt to remove the three members (if they refuse to resign), you will have become a violator of the law who will bring all law into contempt.

As an elected official who serves in the policy-making body of government, I cannot sit by without expressing my views on this matter.

You seem to be getting some pretty questionable advice, if you are not doing all of this on your own. The stakes are too high to leave it all up to you.

You should pull back.

## Kerrey and Harkin

*Continued from page 1*

form, the Stealth bomber, Star Wars, and troops in Europe. Eleven senators got perfect scores including Tom Harkin. Kerrey voted in agreement with the FCNL eight times out of twelve.

### National Health Care

Kerrey's Health USA proposal, although not yet introduced as a bill, has received wide attention in Nebraska. He proposes universal coverage for all Americans with the state — backed by federal funding — as the insurer of last resort. Kerrey's proposal goes farther than some in that it does not link one's health benefits to one's employment. But because it keeps intact the structure of competing insurance companies, it has been criticized by those who would like to see the United States cut administrative costs by adopting a Canadian model.

Harkin, according to his aide Peter Reinecke, has taken no position on individual proposals for national health care. But health care access is a top priority for the senator, and he espouses two principles for reforming the health care system. One, put prevention first; two provide every American with health care.

Harkin hasn't said whether health care should be linked with employment. But he does have a long history of work in improving health care during his time in Congress. As chair of the Subcommittee on Health, Labor and Human Services of the Senate Appropriations Committee, he was, among other acts, instrumental in fully funding maternal and child health.

In other social service areas, Harkin also has an impressive list of accomplishments, such as authoring the Americans with Disabilities Act, "civil rights for Americans with disabilities."

Kerrey, on the other hand, has only three years in Congress to show for himself. But he does have a more specific idea than Harkin about how to reform the nation's health system, and that may be more important to some people than anything else.

Others, however, will find Kerrey's health care agenda unsatisfying, and may cross their fingers and vote for Harkin in the hopes that his background and experience will enable him to lead the nation toward a better health plan than Kerrey's. They already have reason to believe that Harkin will outperform Kerrey in many other areas of social concern.

Halloween Party  
Jim Bechtel's  
3524 Hawthorne  
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Keg  
Dancing  
Costumes



# Curfew Laws Raise Serious Constitutional Claims

by John Hood

It's a teenager's fantasy: Violate your curfew, and your parents, not you, get punished for it. But in a growing number of cities, especially in the south, it isn't a fantasy — it's the law.

In Atlanta, youths under 12 years old now have a legal curfew of 11 p.m. on weeknights and midnight on weekends, with a few exceptions for work trips or school activities. Under the city law, passed last November amid a flurry of national press attention, parents are held responsible for repeated violations of curfew by their children. They face up to 60 days in jail and \$1,000 in fines.

Soon after Atlanta's law went into effect, the city police department began getting calls from other cities across the South. Police chiefs, city council members, and civic leaders wanted to know how the Atlanta curfew worked and how best to enact similar laws in their own towns. Not all cities plan to mimic Atlanta's penalties on parents — some prefer to slap penalties on the violators themselves — but most curfew proponents say their goals are the same as Atlanta's: to protect teens from random street violence and to limit teen involvement in the "drug culture."

So far, the strongest and most predictable opposition to the curfew craze has come from the American Civil Liberties Union. "It is our view that the [Atlanta curfew] law restricts youngster's rights of association and gathering," says Ellen Spears of the Georgia ACLU. The arguments Spears and other civil libertarians use fall into roughly three categories: racial discrimination, police conduct, and constitutional issues.

The fear that the enforcement of curfews will unjustly target black youths and codify festering white racist attitudes about crime is the most controversial, the most publicized, and the weakest argument made against curfews. One reason curfews are making a re-emergence in the South — after 20 to 30 years of late-night freedom for youths in many cities — is that blacks have begun to make

serious inroads into local political power. During the 1970s and mid-1980s, white mayors and city councils shied away from measures, such as curfews, that might have appeared racist.

Today's curfew proposals are being made, with few exceptions, by black leaders. (In Northern cities, such as Detroit, where blacks have long dominated city hall and police departments, curfews were already frequently used.) Daveeta Johnson, a Democrat on the Atlanta City Council, sponsored that city's curfew with support from Mayor Maynard Jackson and Police Chief Eldrin Bell. In Charleston, South Carolina, City Councilor Robert Ford, another black Democrat, has proposed a similar curfew.

Ford counters arguments about race by saying that white leaders hesitate to impose restrictions on their children when the only teen crime victims are black. "I'm not going to wait for the white kid to get beat up," he says.

It's the victims of crime, not snooty city residents wanting lily-white and adult-only streets, who form the strongest bloc of votes for ideas like curfews. In most cities, that vote originates in minority communities racked with crime. Gary Alan Fine, a sociologist at the University of Georgia, says that public support for curfews and other generalized responses to crime come in waves — corresponding less to actual blips in crime rates than to heightened concern about children.

"In the late '80s and into the 1990s," he says, "we are witnessing a mini-baby boom, so issues surrounding children are becoming especially salient." And much of the birth boomlet has occurred in the black community. Whatever the motivation, urban blacks tend to favor more drastic anti-crime measures than whites do, at least in the South.

Concerns about racial discrimination, however, do put curfew enforcers in something of a bind. To avoid charges of targeting black youths, police departments in Atlanta and elsewhere have promised to enforce statutes equally across the whole city.

But, in fact, some areas are more dangerous than others — and the dangerous ones, for various reasons, tend to be poor, black neighborhoods. So police chiefs can either target their enforcement on high-crime areas, and submit to charges of discrimination, or they can spread their enforcement widely, and potentially dilute the effect of the curfew.

Some city governments have recognized this potential dilemma. A report prepared for the Charlotte, North Carolina, City Council by that city's police de-

## Omaha City Council to Vote On Curfew Law October 8

by Frances Mendenhall

The "Curfew Ordinance" proposed by Omaha City Council member Steve Exon will be voted on at the October 8 city council meeting. As we go to press the last of the public hearings are being conducted.

Although being proposed by a white council member and opposed by the only black on that body, the Curfew Ordinance is a response to the seemingly endless killings of black young people and has received wide support among the black community, from the NAACP to Mad Dads, and numerous private citizens. One exception, however, was the Urban League's George Dillard.

Its main opposition has come from the Nebraska Civil Liberties Union. According to NCLU Executive Director Bill Schatz "Curfews in essence are broad sweeping tools of martial law." "Like the loitering laws, they are vague, arbitrary, and open the door for selective enforcement."

Others who testified against curfew at recent hearings: Mayor P.J. Morgan, Director of Public Safety Pitmon Foxall, and Police Chief James Skinner. The main point of their opposition was that it would tie up more police and make it harder to respond quickly to real emergency calls. They also agreed with the NCLU, that it could be perceived as being selectively enforced, and they feared an outcome of worsened police-community relations.

The ordinance addresses youths 17 and younger, during the hours of 12 to 5 a.m. weekdays, and 1 to 5 a.m. weekends. It will commence 3/1/92 expire 2/28/93, unless council opts to make it permanent. It makes an exception for someone work-

ing during those hours or involved in a school related activity, but requires employers to provide proof of employment.

The ordinance proposes penalties for parent(s) or guardians: \$10-100 in fines, up to 30 days in jail. It penalizes custodial parents only. Whether the offending youth would be fined would be up to the juvenile judge; the ordinance will recommend community service with parental accompaniment recommended.

According to its sponsor, the ordinance is being laid over until October 8 to address the following concerns:

1. Whether a young person can be kept overnight at the youth detention center. The Chief of Police has said they cannot.

2. Ways to give arresting officers more flexibility in offering them options in making arrests of violators such as the issuing of a ticket.

3. Removing penalties against employers. As it is worded now, a business such as McDonalds would be required to issue a wallet size card, including their phone number, the employee's phone number. Since the ordinance did not specify a fine, automatically they'd get fined \$500. Exon hopes to substitute voluntary participation by employers.

The Observer asked Councilman Exon why is it being introduced by a white man, to which he responded, "Gosh darn it, I guess that's just the kind of world we live in."

Presently opposing the ordinance are: Councilmembers Terry and Conley. Supporting it are sponsor Exon, and Councilmembers Friend, Tomasek, and Anzaldo. Councilmember Takechi is presently undecided.



partment stated that a curfew that could escape legal challenge while still being strong enough to affect crime "will be difficult to write."

The ACLU's Spears and other curfew opponents say that one of the most dangerous effects of the laws would be to give enormous power and discretion to police officers. Indeed, many police officers welcome curfews because such laws can help them fight the war on drugs. Just as sodomy statutes give prosecutors grounds to convict suspected rapists when evidence of the rape itself is scant, so curfews give police officers the ability to break up "questionable" liaisons on the street and the right to stop and detain underage teens. Civil libertarians worry that using curfews this way reduces the burden on police to

have probable cause before confronting citizens — after all, probable cause for stopping a guy becomes, "He looks young."

Curfew advocates essentially grant this argument. "We are trying to give police officers as many tools as possible to approach people selling or using drugs," says Pat McCrory, a Charlotte City Councilor who plans to sponsor that city's curfew ordinance. The burden of proof is expected to shift to young people out at night. After all, says Sheriff Allen Sloan of Richland County, South Carolina, where a curfew passed earlier this year, "What good can possibly come out of a 13-year-old kid out at 2 o'clock in the morning?"

Continued on page 11

# Dr. Elders Fights Teen Pregnancy In Arkansas

by Steve Barnes

On a holiday Monday, the large labyrinthine headquarters of the Arkansas Department of Public Health, in Little Rock, is virtually empty. On call in the basement are a pair of communications specialists, whose job it is to dispatch trained personnel in the event of a medical emergency, toxic chemical spill or other threat to the commonweal.

Five floors above them, the 57-year-old black woman who is Arkansas's public health director is the only other department employee at work. She is telling a visitor about a different sort of threat that this small poor, Southern state has only begun to address, and relating an episode that occurred a quarter-century ago. It was, she says, the most galvanizing experience of her medical career, and one that shapes her agenda to this day.

"I was a pediatric resident," she remembers, her usually full, firm voice dropping to a murmur. "The patient — she was my patient — was a young girl with a thyroid ailment."

"I went to her room to tell her she could go home the following day. She looked up at me, and she was frightened. She said, 'Dr. Elders, I don't want to go home.'"

"Why not?" I asked her. "It's perfectly all right for you to be released."

Here Joycelyn Elders, M.D., pauses, looking away for a moment, to certain she is recalling precisely the words, precisely the emphasis her patient used.

"Dr. Elders, every Saturday night my brothers and my uncles and my daddy get drunk, and they use me. They use me. Me and my sister."

"Well, I thought of myself as a very bright young doctor, you know, and I just thought — really didn't believe her; I said, 'You'll have to tell your mother.' And she told me, 'I tell my mother. She don't do nothing about it.'"

Again, Elders pauses, to say that her patient was not black. In so doing she asks one to imagine the threshold of fear and shame the young white teen-ager had had to vault, in the South of the early 1960's, to confide her agony to a black person, even if the person was a woman, and a doctor.

"You know," she continues, turning to look out the window, "that was before doctors could report suspected child abuse with immunity." It is an explanation she neither avails herself of nor an excuse she will grant herself, because • "I did nothing. I just discharged her and sent her home, and didn't do anything. I didn't do anything."

What Dr. Joycelyn Elders has been doing since becoming Arkansas's health director two years ago is demanding that the state come to grips with the daunting realities of human sexuality in the late 20th century; the threat of AIDS, the necessity of early effective "life education," child sexual abuse, the reality of teen sexual experimentation, and especially an adolescent pregnancy rate that is among the highest in the country. She has sought to change the definition of "public



health" in Arkansas, demanding that it recognize sexual and reproductive hygiene to be worthy of concern as measles vaccinations.

Hers might be described as a second civil rights movement, a characterization she approves of; a poor teen-ager with a baby, Elders thunders, is "captive to a slavery the 13th Amendment did not anticipate."

Though Elders's position would trigger debate in any region of the country — and has — the South in particular has long resisted the notion that social policy might legitimately extend to anything as private as sexuality. Elders has unsettled parents, antagonized conservative state legislators and "polite" society, frightened and outraged the religious right, jolted the medical community, and, occasionally, frustrated Gov. Bill Clinton, the youthful liberal who appointed her, in 1987. In her first press appearance with the Governor, Elders was asked by reporters how she planned to tackle the teen-age pregnancy problem. She said she thought school-based clinics were one approach. And would they distribute contraceptives? "Well," she blurted, "we're not going to put them on their lunch trays, but, yes."

Elders recalls Clinton turning "beet-red." "I was being flip," she says. "Now I know better." She laughs. "I've been running ever since that day."

It is the human cost that fuels her determination to break the poverty cycle, literally at the point of conception, but it is the numbing financial expense of adolescent pregnancy that Elders uses to awaken Arkansas taxpayers to the problem. In 1986, the year before she became the state's health director, Arkansas recorded 8,874 pregnancies of females 19 and younger. Almost 2,000 of those conceptions were terminated by clinical abortion. (Arkansas has traditionally ranked in the bottom third of states in abortion since the Supreme Court ruled in *Roe v. Wade*, affirming the legality of abortion.) The roughly 6,500 babies born to teen-age mothers in 1986 amounted to almost 20 percent of the state's total births that year. By comparison, the United States natality rate for the same age group during 1985 was 12.7 percent, and only Texas and Mississippi ex-

ceeded Arkansas in the number of births in the 15-to-19-year old age group.

A 1988 Arkansas study on teen-age pregnancy by a consortium of public and private agencies described the need for intervention as "urgent, indeed imperative." Noting that black and low-income youth were disproportionately represented, the study documented an "alarmingly high" pregnancy rate among all teen-age groups, and found that it was increasing faster among white females

than black.

A study completed in 1989 for the Southern Governors' Association fixed the cost in taxpayer dollars for Arkansas adolescents and their children at \$82 million in fiscal 1987, though it examined just three of several public-assistance programs; Aid to Families With Dependent Children, Food Stamps and Medicaid.

**"The debate in Arkansas isn't about family values or abortion. It isn't even about contraceptives. It's about sex — unmarried sex — and the just punishment for sin that many people feel a baby represents and contraceptives or an abortion deny."**

Elders contends that figure is far too conservative, noting that it excludes, for example, the \$54 million Arkansas receives from the Agriculture Department for Women, Infants and Children's supplemental nutrition assistance. Nor, she points out did the conference even attempt to address such ancillary costs as public housing, in which hundreds of thousands of Southern families live, some with four generations under a single roof, including a new, unmarried mother not yet old enough to lawfully operate a motor vehicle.

"And how many prison cells have we filled with the children of teen mothers?" she wonders aloud. "How many angry pointless, wasted souls will the taxpayers have to shelter for who knows how long? How many guards will

it take to keep them locked up? How many police to arrest them? How many judges to sentence them?"

Elders's crusade took her first to the Arkansas public school system. The first school-based health clinic, in the Ozark mountain community of Lincoln, was already in place when she assumed her post, and it convinced her more were needed. A year after the clinic opened, offering contraceptives on request — condoms and foam but no birth-control pills — senior-class pregnancies had declined from 13 to one.

Under Elders's supervision, 18 other school clinics were soon functioning. Only four, however, were authorized by their local boards of education to distribute contraceptives. Conservative opposition was beginning to build, with anti-abortion groups taking the lead, charging that the clinics exploited children and assaulted family values, by condoning promiscuity. Despite the fact that Arkansas law has long prohibited state financing of abortions as well as abortion referrals by public health workers, Elders could not persuade these critics that her goal was to prevent pregnancy, not encourage abortion. "Whenever I hear of a young girl having an abortion," she has said, "I consider it a personal failure." (She states her position on abortion as pro-choice, though she is personally opposed to it: "I'm a pediatrician, after all.")

Still, according to Elders, the debate in Arkansas isn't about family values or abortion. It isn't even about contraceptives, she says. It's about sex — unmarried sex — and the just punishment for sin that many people feel a baby represents and contraceptives or an abortion deny. It is a piety, she contends, that has extracted a horrible price, especially in the South, and from her "little sisters" in particular.

The battle was quickly joined — Elders, Planned Parenthood and a few feminist organizations versus a coalition of fundamentalist and evangelical Christians, the Arkansas Right to Life, FLAG (Family, Life, America, God), the Federation for Decency, the Roman Catholic Diocese of Arkansas and a handful of physicians, including some obstetricians.

Letters, postcards, telegrams and telephone calls began peppering the office of Governor Clinton. The messages regarding Elders and the school clinics were among "the strongest and meanest" Clinton had received since he took office, according to his aides. Elders received correspondence every bit as pointed as the Governor's, some of it suggesting she might do well to vary her route home.

Elders invited her opposition to meet with her in her departmental auditorium. Those who responded were predominantly white, and they came in cars and vans and pickup trucks and church buses. "Sex education is pornography!" declared a woman from Right to Life who attended one session. "School clinics are an abortion referral agency," said

*Continued on next page*

## Elders, continued from previous page

the state organization's executive director, Julie C. Wright, who then acknowledged the group had no proof on which to base the assertion. The Federation for Decency president argued that "we didn't have teen pregnancy in the old days because they just abstained."

"We talk about life," Elders answered from the podium. "What I saw in many of the places my nurses took me, I don't define as living. We have 19-year-olds who already have five children. That's not life. We have 10-year-olds who've been raped by 'Mama's boyfriend' and having babies — I don't call that life."

Elders would later recall the series of hearings, covered by the three statewide Little Rock television stations, as pivotal. Evening after evening, moderate voters, who are a clear majority in Arkansas, watched footage of the meetings, dismayed. Most Arkansans are deeply resentful of their stereotyping by the entertainment industry as ignorant hillbillies. But this wasn't Hollywood — this was their own state Capitol. The actors weren't Yankee poseurs faking Southern accents, but real Arkansans. And to many, the woman who stole the show, herself an Arkansan, made the opposition look foolish, even extremist.

A star was born. The liberal Arkansas Gazette and the conservative Arkansas Democrat both began covering Elders and her campaign in earnest; both took up her cause editorially. Television and radio reporters found her a willing and reliable source of pithy material. "Our young people are asking the State Legislature for a drink of water, not Waterford," she told one.

Many State Representatives, however, continued to oppose the school clinics. In the fall of 1988, when a bill to grant statutory authority to on-campus clinics was introduced, State Representative H. Lacy Landers attached an amendment that would prohibit them from distributing contraceptives. "If you want something to destroy your community," he warned, where animosity and hate and a lot of stuff is generated, then you just pass this bill without the amendment."

"I will not turn those children over to their vile affections," declared Representative Tom Collier, a lay minister and member of the House Public Health, Welfare and Labor Committee. "We'd be saying, 'We give up on you kids, we give up on Arkansas, we give up on the family.'"

In the Arkansas Senate, it was a different story. Although one member urged "a moral stand" against the clinics and another likened them to "teaching a cannibal to eat with knife and fork," the majority were in favor of Elders's program. "Any on you who think we're going to get the job done with abstinence, you're older than I am," quipped a senior member.

Neither house would accept the other's version of the bill, and the legislative session ended in a stalemate.

Editor's note: In 1989 after this article was

written, Elders convinced the Arkansas legislature to require a kindergarten through high school sex education program. The course included issues on substance abuse, self-esteem and human sexuality. Last spring she persuaded the legislature to provide funds to increase to 40 the number of school health clinics in that state. There are presently three school based clinics where contraceptives are given away during school hours. In two of them, Lincoln High School in northwest Arkansas and Lakeview High School in east Arkansas, pregnancy rates in the senior classes has dropped to zero in the most recent year statistics were available. In the third, Central High School in Little Rock, there was a 10 percent increase in pregnancies, but some question as to whether reporting in previous years, when prenatal care and other services had not been linked with the clinics, had been accurate.

Overall, the state's public health department is not yet armed with statistical proof that their efforts are "working," due to the complexity of the problem. But Missy Hines, who spoke to the Observer on the subject is confident that the numbers will, hopefully within a year, soon validate their program.

Not surprisingly, perhaps, Elders seems to enjoy a special rapport with black women. When she accepted an award from her old sorority recently, her remarks met with near-constant murmurs of approval.

"When we see a 10-year-old or a 13-year-old girl pregnant," she said, her voice rising to

stridency, "we know she hasn't been promiscuous, she's been abused!" Three generations of knowing black women came to their feet and smothered Elders with applause.

By contrast, her meeting several nights later with black Arkansas clergymen became tense at points. Elders told them she hoped they would continue to preach celibacy to the youth of their churches, but wanted them to "face some realities."

"This contradicts what we preach," protested one minister.

"You've been preaching abstinence for a hundred years," she fired back. "I've still got a problem. I've still got thousands of teenagers having babies every year."

More clinics are planned, and she is certain they will prevent some pregnancies—but not all the heartache. Given that the Supreme Court, in Webster v. Reproductive Health Services, upheld the right of states to limit access to abortion, Elders braces for a possible reversal of Roe v. Wade. Even if the process takes years, she says, it will soon enough close the abortion option — for poor women, at least.

The Court's ruling in the Webster case "means we're going to have to stress preg-

nancy prevention more than ever," she says. "The pro-life groups, if they're serious about it, should be working harder than anyone in behalf of school clinics or anything else that can stop this epidemic." "Of course," she adds, "that's if they truly want to prevent abortion."

Elders meanwhile, will keep working to provide school clinics and insure that sex education is taught in the public schools. She'll also keep crisscrossing the state, talking to civic leaders and teen-agers. Recently, she visited the Mississippi River community of Helena, Ark., currently part of a federally financed study on the extreme poverty of the Delta States region. There, as elsewhere, she spoke of the need not only to prevent adolescent pregnancy but to provide prenatal and infant health care.

It is all, she says part of an effort to educate Arkansans about what life could be and, she hopes, to make partial amends to that frightened teen-age girl she treated as a young doctor.

"I owe her," Dr. Elders says, "and I'm in a hurry. I'm really in a hurry."

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## Joycelyn Elders In Omaha Oct. 4

Joycelyn Elders, M.D., Director of the Arkansas Department of Public Health, will be in Omaha and Council Bluffs Friday, Oct. 4, to conduct "Hope for America's Youth: School-Based Sexuality Education," a workshop on sexuality education. (See larger article, this page.)

During her workshop, Dr. Elders will tell how Arkansas is reaching youth at risk with six basic steps: offering early childhood education programs, promoting parent education, emphasizing male responsibility, offering college education to youth, implementing school-based clinics, and providing comprehensive health education programs.

Dr. Elders holds a medical degree from the University of Arkansas with pediatric emphasis. Before joining the Arkansas Department of Public Health, Dr. Elders was a professor of pediatrics at the University of Arkansas Medical Center.

The seminar begins Oct. 4 at 8:30 a.m. and adjourns at noon. It will be held at Iowa Western Community College, 2700 College Road, Council Bluffs, Iowa.

To register or for more information, contact Beverly Todd Nolte, 554-1045, Planned Parenthood of Omaha—Council Bluffs, 4610 Dodge St., Omaha, Neb., 68132.

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## The French Pill For Early Abortion

# RU486: Research, Law, and Women as Moral Agents

by Katrin Snow

PORTLAND, ORE. — California was likely to follow New Hampshire last week to become the second state in the nation to support the testing and use in America of the French abortion pill known as RU-486. As the legislative session drew to a close, California lawmakers were expected to vote on a joint resolution urging President George Bush and Congress to rescind the import alert imposed by the Food and Drug Administration and support importing the pill for medical research.

The California resolution had originally endorsed the use of RU-486 as an efficacious and safe abortion method. That language was removed in last-minute amendments in order to get the bill out of committee, according to Elise Thureau, senior consultant to California Assemblywoman Jackie Speier, the resolution's sponsor. Thureau said she expects the resolution to pass.

"The manufacturer has said that the number one requirement for releasing this drug to the U.S. is demonstrated support and documented support for this drug," Thureau said. "By placing California on record in support of all research pertaining to this drug, we think that's a very strong signal."

The California Catholic Conference opposed the measure out of a conviction that the underlying reason for the resolution is to change the climate of opinion about the pill and to encourage its use as an abortifacient. "Even though they're encouraging research, we feel (the measure) is exploitive," said Julie Sly, communications director for the California Catholic Conference.

The American Medical Association, American Public Health Association and California Medical Association have formally supported the legal availability and testing of the drug in the United States.

Technically, the FDA import alert does not prevent scientists from importing the drug for medical research. The agency classifies RU-486 as an inherently dangerous drug and in 1989 barred Americans from bringing it into the country for personal medical use.

In fact, an FDA spokesperson says that the agency is not stopping the importation of RU-486 for medical research and that Roussel, the French manufacturer, controls who gets the drug. But medical researchers say the abortion controversy and the FDA import alert have made Roussel-Uclaf skittish about negative publicity. According to most involved in the debate, a combination of government regulation, stormy abortion politics and rigid company policy on the part of Roussel-Uclaf have closed the gate to American importation of RU-486 for what could be years.

"When we've asked (Roussel) what their intentions are in this country either regarding research or its use as an abortifacient, they

said the U.S. is not in their strategic plans," said Steve Jennings, aide to Oregon Congressperson Ron Wyden. Wyden held hearings nearly a year ago on the FDA import alert and, contending it was motivated by politics and not health concerns, introduced legislation to reverse it. The legislation is still in committee.

According to the Reproductive Health Technologies Project, a program pressing for testing of RU-486 for abortions in the United States, Roussel has said it will not bring RU-486 into the United States for abortion use until there is a political consensus on abortion. Project associate Lucia Guidice said it is difficult for Roussel to find a pro-choice consensus in America when the FDA imposes a ban on personal import, the president is pro-life and the Supreme Court has ruled that publicly funded clinics cannot discuss the legal option of abortion.

Despite Roussel's reluctance to make RU-486 available in the United States, all sides take the abortion pill seriously. Pro-choice advocates point to state resolutions as evidence of a growing mandate that RU-486 should be tested in the United States and made available here. "We're beginning to understand that we are, in fact, backward when it comes to new birth control and that is becoming less tolerable," said David J. Andrews, executive vice president of Planned Parenthood Federation of America. "I'm confident that RU-486 or some other drug just like it is just around the corner."

Pro-life groups are opposing any move that seems to crack the door to the use of the RU-486 for abortion in America. "We are very concerned," said Richard Glasow, education director for the national Right to Life Committee. "The proponents are looking at every possible avenue to bring it here. Even if they don't bring in this one, there are other chemical abortifacients in the pipeline. We know this is a trend, and we're fighting it as hard as we can."

The abortion pill met with no less resistance in France in 1988, when Roussel-Uclaf withdrew it after only one month, citing intense international pressure from anti-abortion groups. The French government had to order Roussel to put the drug back on the market, saying that, "From the moment the governmental approval for the drug was granted, RU-486 became the moral property of women."

Clinical trials in France achieved a 96 percent success rate using RU-486 with a synthetic hormone called prostaglandin that causes uterine contractions. It is effective only in the early weeks of pregnancy, and the French government does not allow its use after the seventh week.

Because of one recent death, a woman who was a heavy smoker and took RU-486 when

she was also taking a medication that can cause cardiovascular disorders, the French government has banned heavy smokers and women over 35 from using the drug.

The drug is now available only to French citizens, although Roussel, responding to a request from the British government, will begin marketing it there next year. China has reportedly developed its own version of the pill.

Investigators working through the University of Southern California recently completed the only clinical trials in this country of RU-486 as an abortifacient. Funded by the Population Council, the six-year study of 400 women achieved a 90 percent success rate using RU-486 without prostaglandin. "It replicated the findings in Europe, that the drug is safe, effective and well-liked," investigator Dr. David A. Grimes said, adding that he has tried to continue the search but cannot get the drug.

Because of congressional restrictions applied to the use of federal funds, abortifacient research cannot be supported by the National Institutes of Health, the Agency for International Development or the World Health Organization. And medical researchers say abortion politics is obstructing medical advances on other diseases where RU-486 shows promise. In studies conducted through the National Cancer Institute, the National Institutes of Health and other institutions, evidence mounts that RU-486 may offer treatment for breast cancer, which kills 44,000 American women annually; the inoperable stage of brain cancer called meningioma; and endometriosis which causes infertility in women.

That the drug can be used in the early weeks of pregnancy is one reason most proponents of testing think it will alter the abortion debate in the United States. "It's intuitive that the value of fetal life increases throughout the duration of the pregnancy," Frances Kissling, president of Catholics for a Free Choice, said. "The ability to make a decision to have an abortion very early in pregnancy will be of great relief to Catholic women who are con-

cerned with the value of fetal life."

National Conference of Catholic Bishops spokesperson Richard Doerflinger acknowledges that early abortions are harder to fight, but said government should protect all human life. "It should not stop at the born, but should include life at its earliest," he said.

The state's interest in protecting fetal life has always been central to abortion law. Attorney Michelle Oberman, director of research at the Institute for Health Law at Loyola University Law School, says RU-486 could alter the legal debate surrounding abortion because RU-486 aborts an embryo or pre-embryo, on which the law currently does not confer the legal status of a person. Moreover, Oberman says, legislatures are reluctant to do that, because current arguments about the legal status of a fetus turn largely on when it is viable, or could survive outside the womb.

RU-486 seems to force the issue of a fundamental and societally unresolved question — who has the right of procreative choice — and this may be the reason RU-486 has generated such a storm of controversy. "People don't trust women as moral agents," Oberman said.

Kissling says she believes early abortions could deeply affect theological debate, noting that new treatments for infertility have challenged theologians to reexamine their understanding of the fertilized egg and embryo. For example, when a physician fertilizes several eggs in a petri dish and attempts to implant only the most successful one or two, how does theology view the other fertilized eggs?

Meanwhile, Pope John Paul II has called on pharmacists not to sell abortifacients and contracted a Spanish bioethicist to develop a position paper on RU-486. The paper, which appeared in *Origins* in May, calls RU-486 "a technical step forward in an area that does not need it," and reiterates the church's consistent moral condemnation of abortion.

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—Maggie Kuhn, Gray Panthers



# Kay Orr Visit a Factor in Soviet Coup?



Dear Lulu:

I woke this morning to find out those silly Soviets threw out Mikhail Gorbachev in a chicken coupe. Of all the silly things. I'm sure it's tough over there but to ship that poor little man out in a chicken crate! And now I hear our lovely ex-governess Kay Orr was there when it happened! Of all things. What is this poor wretched world coming to?

Love, a Former Communist in Fort Calhoun.

Dear Former:

Disarray, is my guess. Check the paper again because Gorby's back, sort of. However, your Kay Orr observation is very important and was missed by the know-it-alls. I am told that Gorby and Kay used to date in high school

and she was there to "look him up." He left town to avoid an embarrassing situation, and the underlings took over. She came home and he decided the vacation was over. Makes you remember that maybe you shouldn't take a vacation for fear they'll find out they don't need you. P.S. Gorby was ousted in a '56 Chevy coupe--not the chicken variety.

Love, Lulu.

Dear Lulu:

I kept having these pains so I bought one of those home gall bladder surgery kits you see advertised on TV. It was kind of messy, but it seemed to work OK for awhile. But now when I sneeze, my foot falls asleep and my mouth goes open. What can I do?

Love, Fractured in Franklin.

Dear Fractured:

Sorry to hear of your problems in the buy-at-home TV world. Sounds like your next purchase better be a home malpractice kit, followed by a do-it-yourself will.

Love, Lulu.

Dear Lulu:

I read in the Weird Herald that President Bush's boat rides at Kenny's Bunk Port cost us \$2 million a year! Good Heavens. Can this be true and what's this country coming to when a man with a wife and a dog can charge these kinds of things to the government?

Love, A Bush Watcher in Bushnell.

Dear Bush:

According to what I know, when President

George Bush goes out in a boat to enjoy himself, very expensive contraptions are needed to prevent Vice President Dan Quayle from going along. They hire special Secret Service folks to tell Dan that George is really going for a loaf of bread, and then they make a run for the boat. A special camouflage tent covers the boat and a special fog appears so Dan can't see the boat leaving. They have to hire gun boats to shoot down the helicopter poor Dan uses to try to drop onto the boat after he's discovered they didn't go for bread, again. Life is hard, complicated and expensive when you're in positions of power.

Love, Lulu.

Dear Lulu:

I had my 40th birthday last week and my hubby gave me a lovely gift and the kids fixed dinner and everything seemed just great, but yesterday I noticed I'm getting two large warts just like my mother's. In heaven's name, what is happening?

Love, Worried With Warts in Waverly.

Dear Worried:

There is a common disease that hits around 40 called "Women Who Look Like Their Mothers". You will start to make her favorite recipes, complain as she did, and start to wonder why you're married. Don't worry. The only disease worse is "Married Couples Who Look Like Their Dogs". That may be coming up. Take care and write often.

Love, Lulu.

## Rabid Opposition of Communism Was Costly

by Colman McCarthy

WASHINGTON—With anti-communism now surging in the Soviet union, or what's left of it, at what will America's anti-communists be foaming their mouths? What sin will now be more evil than being soft on communism? With no Red Dawn or Red Menace to fear, and only the red-blooded Yeltsin to cheer on, how will America's commie-haters function?

No Soviet expansionism can be denounced. No communist containment can be called for. And no letters can be written to leftist or fellow traveling politicians, peaceniks or columnists denouncing them as comsymps. I may even have received my last tirade from a reader who routinely began his postcards, "Dear Probable Communist or Mentally Ill Person."

The release of the Soviet Union from Marxist-Leninist communism has freed the United States from a national psychosis. Our irrational obsession with a political system different from our own dominated our collective unconscious as severely as any phobic disorder can paralyze a patient in a psychiatric ward.

Right-wing politicians—Joseph McCarthy in the 1950s, Barry Goldwater in the '60s and Ronald Reagan in the '70s and '80s—preached so loudly and insistently that the United States

was easy prey for Kremlin devils that the public gradually embraced the delusion. In a late October 1980 poll, a week before voters would elect a rabid anti-communist as president, Newsweek asked: "Do you think the United States has been falling behind the Soviet Union in power and influence in recent years?" Sixty-eight percent said yes, 27 percent said no.

For more than 40 years, the prevailing fear was of Russian hordes taking over the United States after, of course, they had captured Europe, the Philippines and other fallen dominoes. The country had accepted as truth that the Soviet union was evil incarnate, even if politicians knew better—and said so—themselves.

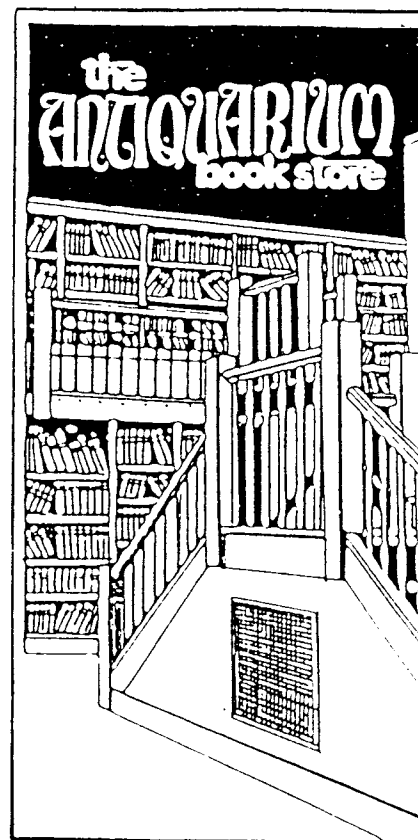
Barry Goldwater wrote in 1979, of "our implacable enemy, the Russian communist," that "I find no evidence the communists have abandoned their ambition to rule the world." Five years later, he stated the opposite: "I don't think we're in a dangerous position today. As for the likelihood of our involvement in a war, I'm very optimistic. The Russians don't want to go to war with us. Russia has always been our ally, and we theirs. She will fight to the death for her homeland, but it is very rare that she wanders out. When she

does, she gets into trouble—like the trouble she's in now with Afghanistan, Red China and Poland."

Goldwater could afford to come to his senses. In 1984, he was exiting Washington and the Senate to become, in retirement, the Sage of Arizona. Exhaling wisdom befitted the new role. The rest of the country was stuck with the old, especially the bills to pay for it. What remains to come out are the full economic and social costs of America's 40 years of aberrant anti-communism. What lies or overestimates of Soviet military strength were made to congressional committees, the better to fatten our own military budgets? How many hundreds of billions of dollars were squandered in the name of stopping communism, when it was clear the Soviets' economy was being as damaged by war and war preparation as ours?

In Moscow, calls are being made for revenge against the leaders of the old order. As the disintegrating Soviet Union works out its problems, America's once rabid anti-commies face a choice: convert their old negative fears into new positive works on behalf of the United States they helped bankrupt—or disappear as fast as KGB agents.

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FBI Failed to Trap Her

## Taped Boner Call Suggests Owen Credibility

by Frances Mendenhall

One FBI dirty trick on Alisha Owen was an attempt to get Troy Boner to trap her into admitting she was lying, or orchestrating a hoax, or trying to get money, etc., during a phone conversation that agent Michael Mott taped without telling her. Owen didn't slip. The tape, along with the FBI transcript of the conversation, made its way into evidence and was played in court. It revealed a great deal about the motivations of Boner and Owen. More important, by what wasn't said, it placed great doubt on the FBI/grand jury/prosecution premise that Owen had told Boner what to say.

The Observer has received a copy of the tape and the transcript anonymously in the mail. They are the same documents presented in court. We have listened to it repeatedly and find numerous observations worth sharing.

Troy Boner, you will recall, was one of two young people with stories similar to Alisha Owen's of involvement in a sex and drug lifestyle with Larry King and other prominent Omahans. After legislative investigator Gary Caradori interviewed Owen early November 1989 at the prison in York, Neb., she gave him leads that enabled him to find the other two alleged abuse victims later that month.

In early 1990, according to Boner's testimony to the grand jury, he and the other young man, Danny King, lived part of the time in an apartment in Lincoln, but for two or three weeks in mid January were taken to a hog farm in Ponca City, Oklahoma belonging to a brother of Pamela Vuchetich, for their protection. Their attorney, as well as Alisha Owen's, was Vuchetich. At the time, speculation was rampant about the nature of their testimony. In January 1990, the DeCamp memo put in writing what many were talking about anyway, that prominent Omahans were linked to sexual abuse of the three young people who had given testimony.

By early February, the two young men returned to Nebraska. Boner, according to his grand jury testimony, returned to the Omaha area, first moving in with his mother, then living with a friend "Carl," at 39th and Center, and was preparing to move into a place of his own. His girlfriend was pregnant. During the next month he would talk to Caradori twice.

By early March, news began to leak that one of the witnesses was changing his story.

On March 8, in the middle of the night, the FBI with a search warrant, raided Alisha Owen's cell at the Women's Center in York. They took every personal document, they could find, as well as notes, address lists, and correspondence. What they did not get in that raid, they obtained the next day by means of a subpoena from Owen's attorney Pamela Vuchetich, including a list Owen had prepared for Vuchetich of all the people she had been intimate with—information that was excluded from the subpoena because of its privileged nature. Vuchetich turned it over any-

way.

On March 9, Boner was in the FBI office. By then he had a new attorney, Marc Delman. Delman testified at the Owen trial that he had approached Boner's mother offering his services as an expert on child sexual abuse. Boner told the grand jury that he called Delman and that Delman agreed to handle his case. Boner had called Caradori the night before to tell him he was going to change some of his story. Boner told the grand jury that after that his attorney and the FBI would not allow him to talk to Caradori.

It is impossible to know from information revealed at Owen's trial or from the tape of the March 9 telephone call what moved Boner to back off of his story or what moved him to make the call to try to trap Owen.

**The Tape**

It is obvious is that Owen remains calm and reasonable throughout the phone conversation and Boner flies off the handle.

If Boner is feeling relief over his decision to come clean and tell the "truth," it is not at all obvious. On the contrary, he seems to be under a great deal of stress. We cannot explain the irritability displayed by Boner who is according to testimony in the Owen trial being maintained on methadone. At the beginning of the tape he coughs a lot. Throughout the tape he sniffs and blows his nose. He is whiny and defensive, interrupting, shouting, often losing his train of thought.

Owen, who had the night before undergone a midnight raid on her cell, would seem to have had more reason to feel stress. But she remains calm and rational throughout the conversation.

"The pressure's kinda hard," Boner says at one point. Another time, "...I'm scared." Later he was to tell the grand jury that his statements were made voluntarily and without any threat, reward, or coercion.

Boner accuses Owen of concocting "the whole thing." She responds without pause, "you're full of shit." He tries to change the subject and she brings him back: "you're full of shit," she says again.

They banter back and forth about what kind of game the other person is playing. Boner tries again get her to take on the role of orchestrating things: "Well, I just called to ask you what I should do and you have no answers for me..."

But Owen isn't falling into that role. "I am not telling you what to do, I have never told you what to do."

Boner apparently agrees that she isn't in the habit of telling him what to do. He sighs and says "Okay." The same Boner would later tell the grand jury and the Owen perjury trial that Owen had told him everything to say during a twenty-minute telephone conversation made just before he videotaped his testimony to Gary Caradori. If that conversation

had happened, and if it had the importance that the prosecution said it had, **why didn't Boner immediately point that out to Owen when she said "I have never told you what to do"?**

Owen repeatedly tells Boner to be truthful. "You can't lie to 'em," she says. Later, "you can only tell them what you know, and if you don't know, don't lie. Finally, after Boner admonishes her not to threaten him because she will piss him off and then he will tell them everything, she says, "Tell them everything. Tell them every g.d. thing. That's what I want you to do." (The day the tape was played in court newscaster Joe Jordon would tell his tv audience that it was Boner who had said to Alisha "Just tell the truth.")

Finally, having exhausted every other ploy, Boner tries to get her to talk about getting money for their stories. He changes the subject so abruptly it is almost as if the FBI agent slipped him a note: *The money, don't forget to ask about the money!*

Says Boner: "I, uh...do you really think we're going to get any fuckin' money?"

Owen snaps back: "I don't give a damn about the money."

Boner had by then run out of tactics. He agrees to come see her in person, and they end the conversation.

Four and a half months later, after telling the grand jury his "recanted" story, Troy Boner would again try to switch his story back to the one he told Caradori. In the two days following Gary Caradori's death, he called Caradori's widow and said that his original story was true and that he was pressured into changing. He went to Sen. Schmit's office with the same intent, but only got as far as trying to line up a new lawyer. According to testimony by Sandy Caradori, he also went to the FBI, trying to change back, but was rebuffed.

Troy Boner is hard to locate these days. Initial attempts made by the Observer to find him and talk to him have failed, but we intend to keep trying. We are reminded of a witness in the trial of David Rice, the black panther convicted of killing a police officer twenty years ago. Duane Peak told the jury that Rice had given him the explosives that killed the police officer. Peak later disappeared apparently to be given a new identity by the FBI.

The tape of the March 9, 1990 conversation is compelling to listen to, and in our opinion the single most convincing piece of evidence in Owen's trial supporting her story. We will share our copy with as many people as possible.

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## Curfew, from p.5

But some police departments are less than enthusiastic about the prospect of enforcing curfews. Foes point out that many hard-pressed police forces can ill afford to spend their time enforcing curfews when serious crimes are occurring throughout the city. Some officers and police chiefs agree.

"When you catch a kid, you've got police tied up trying to find the parents," Bill Myers, a Birmingham City Councilor and former police chief, told Cox News Service. "Personally, I'd rather have that police officer out on the street trying to prevent crime."

Curfews, however, have received a mixed message from the nation's courts. In one of the most celebrated curfew cases of recent years, a federal judge struck down — the night before it was to go into effect — a curfew ordinance passed by the District of Columbia's City Council in 1989 and signed by Mayor Marion Barry. The judge, who said that the law "gives me the chills," noted that the curfew raised "serious constitutional claims" for juveniles, due to the breadth of teen activity it prohibited and the lack of clear evidence that suspending teens' rights would reduce crime.

The Atlanta curfew bears some resemblance to the ill-fated Washington law — which also fined parents and empowered police officers to detain youths at police stations until their parents picked them up. Spears says the ACLU will challenge the Atlanta ordinance on much the same grounds it did the Washington curfew.

But even the clarity and notoriety of the Washington decision didn't deter cities from enacting curfews. A few months later, the nearby Virginia town of Quantico imposed a 10 P.M. curfew on minors, and in that state some 40 cities and towns have curfews on the books — though few are really enforced.

The problem is that most courts haven't ruled out the use of curfews in general, just questioned breadth or procedure of specific laws. While curfews in D.C., Clarksdale, Mississippi, and other municipalities have been struck down by courts or Constitution-minded city councils, curfew and anti-loitering laws in Detroit, Newark, and Camden, New Jersey, have survived legal challenge. Though controversial when enacted three years ago, the New Orleans curfew last September got a vote of support from the city council which also appropriated money to expand enforcement efforts.

One explanation for the failure of some constitutional challenges to curfews may be overreliance on slippery-slope arguments. When curfew advocates make a clear distinction between the rights of children and the rights of adults, and portray a curfew as a case of a government helping to "guide and nurture" children, they sound reasonable. Imposing a curfew on children seems to create, at most, a slight incline, not a steep cliff, pointing in the direction of authoritarianism.

A stronger argument is that while juveniles aren't equivalent to adults in legal rights, they

still enjoy strong constitutional protections. "The [Atlanta] curfew makes exceptions for people exercising First Amendment rights," says Spears, "but our argument is that the First Amendment also protects their rights to associate and gather."

Furthermore, where children's rights end, parents' rights traditionally begin. Instead of strengthening parental authority, curfews usurp parental prerogatives, since under most ordinances teens can't violate curfew even with parental permission. One curious aspect of the Atlanta law is that it lacks specific provisions for taking care of teen violators should their parents be jailed.

Even more curiously, "There are no data on curfew laws which indicate that they are effective as crime-fighting tools," says sociologist Fine. As then-D.C. Police Chief Maurice Turner pointed out during that city's curfew debate, "The average [murder] victim is 31 and the average perpetrator is over the age of 18."

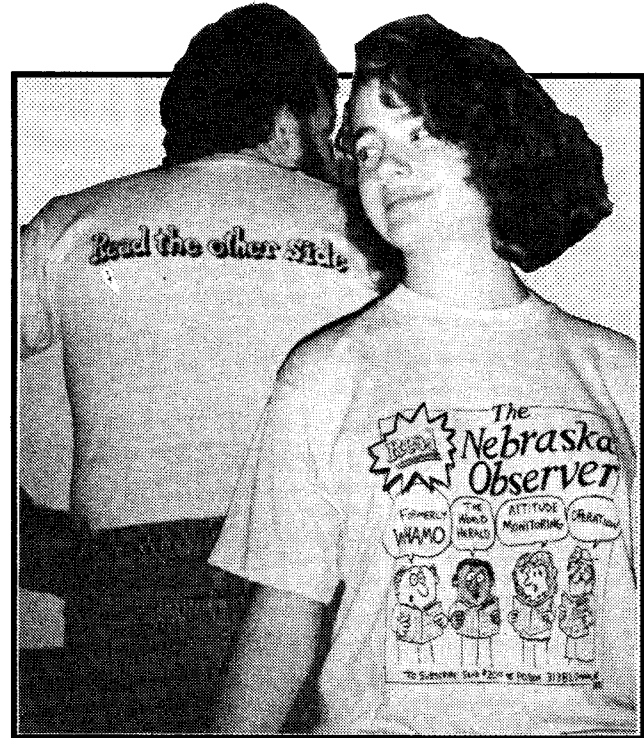
In fact, the only pertinent data sociologists do have is that children are more likely to be hurt or killed by their parents than by strangers on the street. If government wants to protect children by painting with a broad brush, a more statistically sound approach would be to forbid children to stay at home between 7 p.m. and midnight — the prime time for child abuse.

Of course, this is a silly idea, but no more silly than shepherding all teenagers home at 11 p.m. because a scant minority might be "sucked into the drug trade" or shot in drive-by shootings. Penalizing crime, not potential victims, is not only the approach most consistent with our legal and constitutional traditions, but also the only one that targets scarce resources toward the actual problem of violent crime. But if the problem, as city councils and police forces perceive it, is that probable cause and constitutional protections hamper their ability to wage war on drugs, then curfews do indeed represent an advance — an advance in government power.

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# Nukes Bankrupt France, Endanger Environment

Harvey Wasserman's program, "Ecology Talk" is heard on WCBE-FM in Columbus, Ohio. He is a senior advisor to the Greenpeace Nuclear Power Campaign and author of *Harvey Wasserman's History of the United States*.

by Harvey Wasserman

The French atomic power program — touted as the planet's best — is in serious trouble.

France's 55 reactors are often heralded by nuclear boosters as a model for how a national reactor network should be run. With 75 percent of its electricity coming from atomic fission, France has been featured in major media throughout the world as a true exemplar of the potential for the Peaceful Atom.

Particularly in the wake of the Chernobyl catastrophe, French "success" in generating power from standardized, mass-produced reactors has formed the cornerstone of the industry's attempt to build a new generation of reactors. Soon after nuclear-committed General Electric bought NBC-TV, for example, the network featured a laudatory one-hour special on French atomic power.

Harry Finger, chief of the U.S. Council on Energy Awareness, sponsors of a nationwide pro-nuclear advertising campaign, told an industry gathering last fall that France provided a shining light for reactor promoters worldwide. He then handed Rémy Carle, godfather of the French industry, the USCEA's top award.

But kudos to Carle and other designers of the French industry may be considerably premature. For despite its shiny surface glow, both critics and supporters warn that nuclear power has brought France to the brink of financial and ecological catastrophe.

For starters, in purchasing the nation's 55 reactors, Electricité de France (EDF) has accumulated the largest private debt in the world, larger than that of any nation except the U.S. EDF's current tab runs in the range of 230 billion French francs, the U.S. equivalent of more than \$50 billion.

Because EDF is supported by the govern-

ment, it could technically raise rates to pay off its immense debt. But the utility is widely despised because of its poor service, considered among the worst in Europe. It's prices are already higher than those in Holland, Sweden, Denmark and the U.K. But it still lost 4 billion French francs in 1989. EDF's president characterizes his company's finances as "disaster stricken."

Desperate to turn a profit, EDF has undertaken a highly controversial campaign to encourage electricity consumption. Working contrary to the attempts of virtually every other industrialized nation, the utility has reversed its own earlier policies of encouraging energy efficiency. Instead, EDF has adopted the phrase, "tout électrique, toute nucléaire," to enhance the image of an all-electric, all-nuclear economy. Thus it promotes all-electric home heating and has tried to push air conditioning in chilly French cities, generating as much scorn as consumption.

An official government report calculates that EDF now owns eight more reactors than it really needs. EDF's president admits to five.

But the French production grid also suffers from a devastating imbalance. The newly expanded electric heating demands in the winter often far exceed the system's capacity, forcing EDF to buy extremely expensive electricity from other countries. But in the summer, the system produces an enormous excess at base-load reactors which cannot be easily shut and restarted.

Meanwhile the imbalance has yielded an industry desperately trying to maintain its infrastructure. As in the U.S. and most other nations of the world, the demand for new reactors has plummeted. Framatome, the semi-private national reactor producer, long ago calculated it would need five or six new orders per year to sustain itself. It counted heavily both on French demand and a booming export market. Since 1970, however, Framatome has exported just eight reactors. No firm orders have been placed inside France since 1987.

Thus EDF and Framatome are stretching construction times to preserve precious capital and maintain their work force. The industry has already lost thousands of crucial skilled workers. Without a quick revival it will be unable to sustain a vital influx of young scientists and engineers, a dilemma already crippling the U.S. industry.

Personnel problems have already surfaced in the safety and regulatory process. The French industry has long been known for its tight security and almost total unwillingness to tolerate public criticism. But in 1990 France was stunned by a report by P. Tanguy. The EDF's Inspector General warned, among other things, of a decline in the "safety culture" within the Commissariat à l'Energie Atomique, the government agency that both regulates and promotes French atomic power. Tanguy charged the CEA with a "doctrinal fixation" that blinded it to the true shortcomings of French reactors, thus creating a situation of potential public and financial danger. A melt-down, worried Tanguy, could bankrupt an already troubled balance sheet.

Le Monde, France's most prestigious newspaper, has added that at the EDF nuclear division, "Vigilance is a thing of the past, the risks have become trivial, and technology has given place to cost management."

But if Tanguy and Le Monde are to be believed, cost management may soon be the least of EDF's worries. According to the Inspector General's report, serious generic problems have surfaced in standardized French

designs, threatening their long-term ability to function.

Nuclear proponents have long argued that choosing one or two standardized designs and duplicating them throughout a production grid would be the best way to guarantee a nuclear future. Virtually the entire French system is thus composed of pressurized water reactors, based on Westinghouse designs, which generate 900 megawatts and 1300 megawatts of power.

But critics have long warned that the downside of standardization would be the surfacing of across-the-board flaws. The French now seem to be suffering serious generic problems along precisely those lines.

Among other things, Tanguy has confirmed premature aging in plant hardware, welding defects and a dangerous thinning of pipes throughout the French industry. The flaws have already led to serious "incidents" at Gravelines and at the French-built Vandellós reactor in Spain.

The French dream of a fast breeder program that would provide the country with a never-ending source of radioactive fuel also seems all but dead. A prototype plant has failed to perform as hoped. A much larger "Super-Phénix" has drawn ferocious public protest, and also appears to be a technological failure, leaving the whole program with what Tanguy calls a "white elephant" image.

Meanwhile the fortunes of the French in-

*Continued on page 16*

## At-Large Elections May Be Dropped OPPD Board To Consider Policy Decisions

Information for the following article was provided by OPPD Board member Michael O'Hara. O'Hara told the Observer he will not seek reelection.

On October 17, Omaha Public Power District board meeting will include two policy discussions of interest.

The first is a rates structure change. The board is considering increasing rates with residential rates more affected than commercial rates, and summer use rates for all customers to be set higher than non-summer. The average residential increase will be about 5.6 percent with a maximum residential increase of 10 percent. The average commercial increase will be 2.4 percent with a maximum of 10 percent. The annual budget will increase the most for high summer users so as to give a more accurate price signal.

Second, the board will address the problem of redistricting. This is the first time the utility has had to respond to a national ten-year census; in 1986 the legislature changed public power district election laws from being based on the number of voters to being based on

population.

Currently there are eight directors; five are elected at large, one is elected from rural Douglas County and areas north, one from Sarpy County, and one from the areas south of the Platte River.

Redistricting necessarily will make the Omaha area larger to include Ralston, La Vista and the southwest suburbs. It also necessarily means Sarpy district must get smaller with the Southern rural area will picking up western Sarpy district.

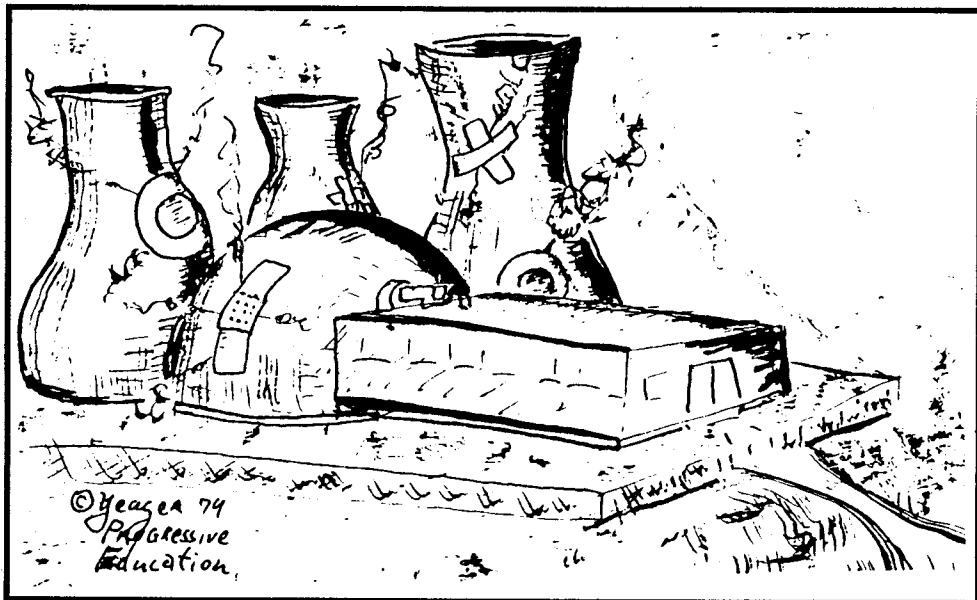
Three options will be available.

1. An eight member board with five districts in Omaha, elected by district.

2. A seven member board with four districts in Omaha, the remaining seats elected at large.

3. Merging Omaha and Bellevue districts and having six seats all elected at large from the urban area, and additionally 2 rural districts.

The Oct. 17 meeting will be held at 10:00 a.m. in the Energy Plaza Training Room, 16th and Harney, across from the Orpheum.



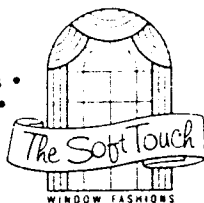


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**Haymarket Art Gallery**

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Hours: 10 a.m.-5 p.m. Tues. & Wed., Fri.  
& Sat.; 10 a.m.-9 p.m. Thurs.;  
1 p.m.-7 p.m. Sun.**Through Oct. 20th**-Salvator Rosa: Etch-  
ings; Arnulf Rainer: Drawing on Death.**Through Oct. 27th**-Elizabeth Layton:  
Drawing on Life.**Through Nov. 10th**-The Landscape in  
Twentieth-Century American Art: Selec-  
tions from the Metropolitan Museum of Art.**Through Nov. 17th**-Painting by the Rules:  
Academic Paintings from the Permanent  
Collection.**Oct. 24th through Dec. 1st**-American  
Indian Portraits by F.A. Rinehart.**Local Artists' Exchange**

Standard Blue, 1415 Harney, Omaha.

Hours: 8 a.m.-5 p.m. Mon.-Fri.; noon-4  
p.m. Sat. & Sun.**Metro Arts Artspace**

601 S. 16th St., Omaha.

341-7910

Hours: 9 a.m.-4 p.m. Mon.-Fri. or by  
appointment.**Museum of Nebraska Art**

24th &amp; Central Ave., Kearney.

(308) 234-8559

Hours: 1 p.m.-5 p.m. Tues.-Sat.

**Oct. 1st-Nov. 15th**-University of Nebraska  
at Kearney Faculty Show.**Passageway Gallery**

417 S. 11th St. Omaha.

341-1910

Hours: 11 a.m.-5 p.m. Mon.-Wed.; 11 a.m.-  
9 p.m. Thurs.; 11 a.m.-10 p.m. Fri. & Sat.;  
or by appointment anytime.**Photographer's Gallery, Inc.**

4831 Dodge St., Omaha.

551-5731

Hours: 10 a.m.-2 p.m. Mon.-Fri.; 1 p.m.-5  
p.m. Sun.; closed Sat.; or by appointment  
anytime.**Sheldon Memorial Art Gallery**

12th &amp; "R" Sts, UNL Campus, Lincoln.

472-2461

Hours: 10 a.m.-5 p.m., Tues. & Weds.;  
2 p.m.-9 p.m., Sun.; 10 a.m.-5 p.m. Thurs-  
Sat.; closed Mon.**Through Nov. 17th**-One of a Kind:  
Polaroids by Kent Klima.**Through Nov. 24th**-A Photographic  
Itinerary: Recent Works by George Tuck.**Oct. 1st-Dec. 1st**-Off the Wall.**Threlkeld Art Studio**

324 South 68th St., Omaha.

556-2256.

**13th St. Gallery**

1264 S. 13th St., Omaha.

Hours: 1 p.m.-5 p.m. Fri., Sat., &amp; Sun.

**Sioux City Art Center**

513 Nebraska St., Sioux City, Iowa.

**University of Nebraska at  
Omaha Gallery**

616 S. 11th St. (2nd floor in CAT Bldg.)

Hours: 10 a.m.-5 p.m. Mon.-Fri.

**Through Oct. 13th**-Selections from the  
permanent collection.**Other Midwest Gallery Listings****Art Institute of Chicago**

Michigan at Adams St., Chicago, Illinois.

(312) 443-3600

Hours: 10:30 a.m.-4:30 p.m. Mon., Wed. &  
Fri.; 10:30 a.m.-8 p.m. Tues.; 10 a.m.-5  
p.m. Sat.; noon-5 p.m. Sun.

Admission: \$5, seniors &amp; students \$2.50.

**Des Moines Art Center**

4700 Grand Ave., Des Moines, Iowa.

(515) 277-4405

Hours: 11 a.m.-5 p.m. Tues., Wed., Fri., &  
Sat.; 11 a.m.-9 p.m. Thurs.; noon-5 p.m.  
Sun.; closed Mon.**Through Nov. 10th**-Outrage and Sympa-  
thy: Artists on Injustice.**Gallery 306**102 S. Dakota Ave., Sioux Falls, South  
Dakota.**The Nelson Atkins Museum of  
Art**

4525 Oak St., Kansas City, Missouri.

(816) 561-4000

Hours: 10 a.m.-5 p.m. Tues.-Sat.; 1 p.m.-5  
p.m. Sun.

Admission: \$4 adults; \$1 students.

Permanent collection free on Sat.

**The Peace Museum**

430 W. Erie, Chicago, Illinois 60610

(312) 440-1860

**Witter Gallery**

609 Cayuga St., Storm Lake Iowa 50588.

Due to the rising costs of operating the  
gallery, the space has been closed. To  
support the nation's first museum dedicated  
to providing peace education through the  
arts and humanities, please send contribu-  
tions to the above address. If fund-raising  
is successful, they will be able to celebrate  
their 10th birthday this fall with a grand re-  
opening.

# d r e a d e v e n t s

**Note:** Information was current as of press time, but changes may occur. Call for updates.

444-5071.

## SPECIAL EVENTS

V.V.A. Chapter #146 General Membership Meetings, 2nd Tues. each month at the V.F.W. Post, 33rd & Leavenworth. Call Tom at 453-2568 for more info.

Bisexual Support Group meets 1st Mon. of each month, 7 p.m. at the Cornerstone, in the upstairs conference room, 640 N. 16th St., Lincoln.

**Fri. Sept. 27th & Sat., Sept. 28th**-First Nebraska Literature Festival. UNO. Events Fri. include a Bemis Gallery talk by Cather photographer Lucia Woods at 4 p.m. and a reception, also in the Bemis Gallery from 7-10 p.m. The program includes Willa Cather Songs by John Kunz and Hilda Neihardt reciting the poetry of her father, John G. Neihardt. Tickets are \$12.50 in advance and \$15.00 at the door. 397-8823. Sat. events run from 9 a.m.-9:30 p.m. and include workshops, discussions, family activities, and readings by the Nebraska State Poet, William Kloefkorn, plus John Janovy, Hilda Raz, Don Welch, Nancy McCleery, Roy Scheele, Donna Whitewing-Vandall, Harry Eure, Marilyn Coffey, Michael Skau, Lorraine Duggin, Susan Strayer Deal, and James Reed. Many of these poets were featured at the Nebraskans for Peace poetry reading last spring. Sat. events, with free admission, take place at the Milo Bail Student Center, UNO.

## ENVIRONMENT, PEACE & SOCIAL JUSTICE

Earth Day Committee meets every Tues. at Willa Cather Branch Library, 44th & Center, 6:30 p.m.

Ecology Now meets each Sun. in Elmwood Park at 4 p.m.

Youth for Peace meets every Wed., 6 p.m., upstairs at the Antiquarium, 1215 Harney.

C.L.E.A.N. (Citizens Leading Environmental Action Nebraska) meets 1st Thurs. each month at Dorothy Lanphier's, 5302 Izard, 554-1108.

No-Name Recycling Group meets every Sat., 10 a.m.-noon at the First Presbyterian Church 216 S. 34th St. (34th & Farnam). The Nov. 3rd meeting, however, will not be held at the church. Location to be announced. Contact Patricia Dugan: 345-2206.

Ongoing: Nebraskans for Peace Health Care Signature Campaign. Call 453-0776 for more info.

**Sept. 30th through Oct. 1st:** 1991 State Conference of the Nebraska Domestic Violence Sexual Assault Coalition. Key-

note: "Conspiracy of Silence: The Trauma of Incest" by Sandra Butler. Nebraska Center for Continuing Education, Lincoln. Call (402) 476-6256 for more info.

**Oct. 4th through Oct. 6th**-National SEAC (Student Environmental Action Coalition) gathering in Boulder, Colorado. Carpooling will be arranged. Contact Aram Montgomery at the Ecology Now-UNL office (472-6975).

**Oct. 5th**-Jazz Benefit for Nebraskans for Peace District 2. 2 p.m. at the Metropolitan Arts Council, 16th & Jackson, Omaha.

**October 10th**-Janet Gottschalk from the World Health Organization speaks on Medical Neutrality in the Philippines at Creighton. Call 453-0776 for more info.

**Oct. 15th**-Lincoln Chapter of Nebraskans for Peace present a Program on Women, Men, and Violence. YWCA, Lincoln.

**Thurs., Oct. 17th**-Forum on the Death Penalty, sponsored by the Urban League Voter Registration and Education Task Force, at Augustana Lutheran Church, 38th and Lafayette, 7:30 p.m. Call 453-0776 for more info.

**Oct. 19th through Oct. 26th**-World Rainforest Week. Contact Ecology Now UNO 554-2968 for scheduled events.

**Oct. 21st through Oct. 22nd**-Family Violence Conference. Keynote speaker: Richard Gelles. UNO's Peter Kiewit Training Center, Omaha. Cosponsored by UNO College of Continuing Studies and School of Social Work. Call 595-2309 for more info.

## EXHIBITS & DISPLAYS

**Through Oct. 30th**-Western Heritage Museum, "First Ladies of Fashion."

**Through Jan. 12th**-Omaha Children's Museum exhibit: Dinamations Real Sea Monsters-"Dinosaurs" of the Deep. An exhibit of giant, robotic, prehistoric sea creatures that will appear to swim and dive in a magical environment that will delight visitors of all ages.

## FILM

Mary Riepma Ross Film Theater, Sheldon Memorial Art Gallery, Lincoln.

"The Ballad of the Sad Cafe," directed by Simon Callow, plus a short by Andrew Garrison, "Fat Monroe," runs **Thurs., Oct. 3rd through Sun., Oct. 6th** with screenings at 7 & 9:15 p.m. and matinees on Sat. at 12:45 & 3 p.m. and on Sun. at 2:30 & 4:45 p.m.

"Tabu," directed by F.W. Murnau runs **Thurs. & Fri., Oct. 10th & 11th** with screenings at 3, 7, & 9 p.m.

"Tilai," directed by Idrissa Ouedraogo, screenings at 3, 5, 7, & 9 p.m. on **Oct. 13th**.

"Paris is Burning," directed by Jenny

Livingston and "Tongues Tied," directed by Marlon Riggs run **Thurs., Oct. 17th through Sun., Oct. 20th** and again the following week **Thurs., Oct. 24th through Sat., Oct. 26th** with screenings at 7 & 9:30 p.m. and matinees on Sats. at noon & 3 p.m. and on Suns. at 2:30 p.m. to be followed by a panel discussion.

"Landscape in the Mist," directed by Theo Angelopoulos, screenings at 2:30, 4:45, 7 & 9:15 p.m. **Oct. 27.**

Clare Trevor Film Festival runs **Tues., Oct. 29th through Sun. Nov. 3rd**. Complete schedules & synopses available from the box office.

UNO Fall Film Series, Eppley Auditorium.

"The Wizard of Oz," **Fri., Oct. 4th through Sun., Oct. 6th**, screenings at 7 p.m. only.

"Desperate Living," directed by John Waters, **Fri., Oct. 4th through Sun., Oct. 6th**, screenings at 9 p.m. only.

"Hold Me While I'm Naked," "Corruption of the Damned," and "Ascension of the Demoniods," three shorts by George Kuchar. **Fri., Oct. 18th through Sun., Oct. 20th**, screenings at 7 p.m.

Look for the BAD FILM FESTIVAL coming up in November!

## MUSIC & DANCE

The Coffee House Series continues this fall at the Blue Barn Theater. Every Mon. at 8 p.m. the series features original material by local acoustic artists. Bring your own coffee cup. Call 345-1576 for more info.

"New Music Tuesdays." Most Tues. nights the Howard Street Tavern features alternative music from local and national acts.

**Every Sun. 6-9 p.m.**-Omaha International Folk Dancers. Grace Lutheran Church, 26th & Woolworth. Beginners welcome.

**Oct. 1st**-Luigi Waites at the Hilton Hotel in Lincoln, 141 N. 9th St.

**Oct. 2nd**-Luigi Waites at Crown Hall, 8345 Crown Point Ave, Omaha.

**Oct. 6th**-The Albert McNeil Singers. 7 p.m.

UNO's Strauss Performing Arts Center.

**Oct. 11th**-Flying Karamazov Brothers. Lied Center. Lincoln.

**Oct. 18th & 19th**-Hubbard Street Dance Co. Lied Center. Lincoln.

**Oct. 25th through 27th**-St. Paul Chamber Orchestra. Lied Center. Lincoln.

**Oct. 29th & Nov. 1st**-Broyhill Chamber Orchestra. Lied Center. Lincoln.

## THEATER

Omaha Community Playhouse

**Through Oct. 6th** "42nd Street"

**Oct. 18th through Nov. 10th** "On Borrowed Time"

Emmy Gifford Children's Theater

**Through Oct. 13th**-"The Velvetten Rabbit"

Firehouse Dinner Theater **Through Oct. 26th**-"Doin' Chicken"

Chanticleer Theater "Same Time Next Year"

Blue Barn Theater

**Sept. 20th through Oct. 13th**-"The Syndrome: Four Short Plays About AIDS." Special benefit performance for the Nebraska Aids Project,

**Wed., Oct. 9th, 8 p.m.**

Interim Performing Arts Center, Creighton University

**Oct. 2nd-5th** at 8 p.m. and **Oct. 6th** at 2 p.m.-"She Stoops to Conquer"

Magic Theater

Oct. dates to be announced-"Sound Fields--Or Are You Hear"

Bellevue Little Theater

**Through Oct. 13th**-"A Chorus Line"

Grande Olde Players

**Sept. 26th through Oct. 20th**-"Close Ties"

Omaha Workshop Theater

"Old" and "Spigot Frog Pedestrian

Hootenanny" dates to be announced.

*Send Calendar information to*  
**Jeanette Morgan**  
**455-7205**  
**P.O.Box 8158**  
**Omaha, NE 68108**

Possible Solution For Greenhouse Effect

## Dave Barry's Scientific Inquiry Into Methane

by Dave Barry

For all you Dave Barry fans who spent Sunday morning searching through the World-Herald for his column this week, no you didn't overlook it. This is it, or should've been it anyway. Unfortunately, some unnamed "they" decided it was too offensive to print. Beano??!! Fortunately, Walgreens doesn't find it too offensive to carry!

Recently, I received a letter from a justice of the United States Supreme Court concerning a product called "Beano".

I absolutely swear I am not making this up. The letter, written on official U.S. Supreme court stationery, comes from Justice John Paul Stevens, who states:

"Having long been concerned about the problem of exploding cows, it seemed imperative to pass on to you the enclosed advertisement, the importance of which I am sure will be immediately apparent to you."

Justice Stevens enclosed an advertisement from Oking Lightmagazine for Beano, which, according to the manufacturer, "prevents the gas from beans." The advertisement includes pro-authorities, including (I am still not making this up) The New York Times, The Idaho Statesman and Regis Philbin. The advertisement calls Beano "a scientific and social breakthrough" and states: "it's time to spill the 'Beano'."

I was already aware of this product, I don't wish to toot my own horn, so to speak, but thanks to the efforts of hundreds of alert readers, my office happens to be the World

Clearing House for information relating to gas buildups that cause explosions in animals, plants, plumbing, humans, etc. In recent months I've received newspaper reports of explosions involving a flounder, a marshmallow, a mattress, two wine bottles, several pacemakers (during cremation), countless toilets, a flaming cocktail called a "harbor light," chicken livers, snail eggs, a turkey, a tube of "Poppin' Fresh Biscuits, a raccoon and a set of breast implants.

So needless to say, many readers had already alerted me about Beano. Several of them had sent me actual samples of Beano, which comes in a small plastic bottle, from which you squirt drops onto your food. But until I got Justice Stevens' letter I had not realized that this was a matter of concern in the highest levels of government. When you see the Supreme Court Justices they always appear to be extremely solemn, if not actually deceased. It never occurs to you that, under those robes they have digestive systems, too. But they do, as can be seen by a careful reading of the transcript of a recent court hearing:

Chief Justice Rehnquist: Is the court to understand, then, that counsel's interpretation of the statute is ...All right! Who sliced the limburger? (He glares at the other justices.)

Justice Scalia: Well, I am not naming names, but I happened to be glancing at the liberal wing of the court, and definitely saw some robes billow, if you catch my drift.

Justice Blackmun: Oh, sure, and I suppose the conservative wing doesn't sound like

The All-Star Kazoo Band over there. My opinions are blowing off the bench.

Justice O'Connor: Oh yeah? Well why don't you take your opinions and.....This is bad for America. We need our highest judicial body to stop this childish bickering and get back to debating the kinds of weighty constitutional issues that have absorbed the court in recent years, such as whether a city can legally force an exotic dancer to cover her entire nipple, or just the part that pokes out.

So I decided, as a tax-deductible public service, to do a Beano Field Test. To make sure the test was legally valid, I asked a friend of mine, Paul Levine, who's a trained Attorney as well as an author, if he'd participate. Paul is a selfless, concerned citizen, so I was not surprised at his answer.

"Only if you mention that my critically acclaimed novel 'To Speak for the Dead' is now available in paperback," he said.

"I'm afraid I can't do that," I said. But Paul agreed to participate in the Field Test anyway, because that is the kind of American he is. My wife, Beth, also agreed to participate, although I want to stress that, being a woman, she has never, ever, in her entire life, not once, produced any kind of gaseous digestive byproduct, and when she does she blames it on the dogs.

To make this the most demanding field test possible, we went to a Mexican restaurant. Mexican restaurants slip high-octane beans into virtually they serve, including breath mints. It is not by mere chance that most of Mexico is located outdoors.

Paul, Beth and I applied the Beano to our food as directed — three to eight drops per serving — and we ate it. For the rest of the evening we wandered around to various night spots, awaiting developments. Other people at these night spots were probably having exciting, romantic conversations, but ours went like this:

Me: So! How's everyone doing?

Beth: All Quiet!

Paul: Not a snap, crackle or pop!

Anyway, the bottom (har!) line is that Beano seems to work pretty well. Paul reported the next day that all had been fairly cal., although at 3:30 a.m. he was awakened by an outburst. "You're familiar with the Uzi?" was how he put it. I myself was far safer than usual to light a match around, and Beth reported that the dogs had been unusually quiet.

So this could be an important product. Maybe, when you go to a restaurant, if you order certain foods, the waiter should bring Beano to your table, instead of those stupid utility-pole-sized pepper grinders. "Care for some Beano?" the waiter could say. "Trust me, you'll need it."

And getting back to Justice Stevens' original concern, I think federal helicopters should spray massive quantities of Beano on the nation's dairy farms, to reduce the cow methane output. And of course it should be mandatory in the dining rooms of the United States Congress. I'm sure the Supreme Court will back me up on this.

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## New Volunteer Community Health Clinic to Open October 1st in South Omaha

by Bob Ramaley

The author is the former treasurer of the Indian Chicano Health Center

Individuals previously associated with the Indian Chicano Health Center have left that facility and have announced the formation of a new community health center, the La Plaza Community Health Center, to be centrally located in the South Omaha Area at 24th and N Street. (4843 South 24th Street) The center will offer evening medical clinics to be staffed with volunteer physicians and medical personnel from the Creighton and the University of Nebraska Medical Centers and individual volunteer physicians and nurses.

The executive director of the new center will be Ms. Rita Garcia and the medical director will be Dr. James Phalen both of whom have had over 15 years of community medical clinic experience in this medically underserved community.

The center will provide medical care to individuals and families who have not been

able to obtain necessary medical attention due to lack of access or financial difficulties. Outreach programs will emphasize preventative health, direct community sponsored wellness and other related programs.

Ms. Gerarda Carmona, president of the La Plaza Community Health Center board, has announced an opening date for the center of October 1st, with a general open house and fund raiser to be held at a later date.

Individuals interested in supporting this work and becoming founding patrons are invited to attend the open house at the clinic or to send their contribution to the center's treasurer, Robert Ramaley, 4843 South 24th Street, Omaha Nebraska 68107 (checks should be made out to the La Plaza Community Health Center). Information concerning the La Plaza Community Health Center, the upcoming open house and the monthly La Plaza Community Health Center health informational newsletter will be sent to all interested individuals upon request.

French Nukes Impoverishing Country, Endangering Environment  
from page 12

dustry have sunk so low that EDF and Framatome, partners in more than 50 plants, are now in fierce competition for overseas contracts in maintenance and service. EDF recently opened an office in Washington to promote just such sales.

But while Washington seems equally interested in continuing to promote the image of the French nuclear industry as being some kind of national ideal, the French know otherwise. After a recent study of the industry's prospects, Le Monde could only ask: "Is nuclear power a transitional source of energy?"

Increasingly, the answer seems to be: "Oui!"

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For the other side  
of national and  
world news:

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\$24/yr.

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New York, NY

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